

July 26, 2017

**VIA ELECTRONIC DELIVERY**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Room TWA325  
Washington, DC 20554

**Re:** *Ex Parte Notice*  
*GN Docket No. 17-183, Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz*

Dear Ms. Dortch:

On July 13, 2017, the Federal Communications Commission (“FCC” or “Commission”) released a draft Notice of Inquiry (“NOI”) that had been circulated for possible consideration by the Commission at its August 3, 2017 open meeting.<sup>1</sup> If adopted, the NOI would seek public comment on expanding flexible wireless use in mid-band frequencies, including whether to allow the operation of unlicensed devices in the 5.925-6.425 GHz band.<sup>2</sup>

The circulated NOI seeks comment on how the Commission could mitigate the risk of interference from unlicensed devices to licensed services that operate in the 5.925-6.425 GHz band.<sup>3</sup> It does not, however, seek comment on how to mitigate the interference risk to adjacent band services, such as vehicle-to-vehicle, vehicle-to-infrastructure and vehicle-to-everything (together referred to as “V2X”) systems that operate in the 5.850-5.925 (“5.9”) GHz band under the Intelligent Transportation Service (“ITS”).<sup>4</sup> Allowing unlicensed devices to operate in the 5.925-6.425 GHz band could significantly increase the risk of harmful interference to V2X systems, especially if the FCC requires a re-channelization of the 5.9 GHz band.<sup>5</sup>

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<sup>1</sup> See *Expanding Flexible Use in Mid-Band Spectrum*, Notice of Inquiry, FCC-CIRC1708-04 (rel. July 13, 2017).

<sup>2</sup> See, e.g., *id.* ¶ 26.

<sup>3</sup> See *id.* ¶ 29.

<sup>4</sup> See *id.*

<sup>5</sup> The Commission is considering a re-channelization proposal that would move latency sensitive vehicle-to-vehicle operations closer to the 5.925-6.425 GHz band. The Alliance of Automobile Manufacturers (“Alliance”) opposes this proposal. See, e.g., Alliance, Comments, ET Docket No. 13-49 (filed July 7, 2016).

The Alliance of Automobile Manufacturers (“Alliance”) recommends that the Commission expressly seek comment on whether to establish out-of-band emission limits for unlicensed devices that operate in the 5.925-6.425 GHz band in any NOI that it adopts. For example, adding the following language to the NOI would help ensure that the Commission obtains the information it needs to develop technical rules capable of protecting V2X communications operations below 5.925 GHz:

*Unlicensed devices would also need to avoid causing out-of-band interference to ITS services operating in the 5.850-5.925 GHz band. If the Commission allowed unlicensed use in the 5.925-6.425 GHz band, what out-of-band emission limits would be needed to protect licensed ITS services?*

Pursuant to Section 1.1206(b) of the Commission’s rules, an electronic copy of this letter is being filed for inclusion in the above-referenced docket.

Respectfully submitted,

/s/ Ari Q. Fitzgerald

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